

Service Associates, Inc.

308 South Marshall Street
Winston-Salem, North Carolina 27101

January 24, 2013

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC Docket No. 02-6

Re: Request for Waiver

To whom it may concern:

This Request for Review is filed on behalf of the applicant. My contact information is as follows:

Tom Traywick, Senior Compliance Analyst
Service Associates, Inc.
308 South Marshall Street
Winston-Salem, NC 27101
lcsl@serviceassoc.com
(828) 668-5113
(828) 553-9366 mobile

**Applicant
Contact:**

Charletta Goodman, Director of Technology
Lee County School District
310 Roland Street
Bishopville, South Carolina 29010
lcsl@serviceassoc.com

Oliver T. Frail, Senior Compliance Analyst
Service Associates, Inc.
308 South Marshall Street
Winston-Salem, NC 27101
lcsl@serviceassoc.com
(828) 668-5113

Service Associates, Inc. is an E-rate support services company
providing services exclusively to E-rate applicants.

This Request for Review requests waiver of the rules or guidelines established in FCC 01-195 Page 5 paragraph 9 regarding requests for extension of the non-recurring services delivery deadline (consistent with DA 11-1791), and thereby reversal of the following USAC-SLD decisions:

Administrator's Decision on Implementation Extension Request	
Date of Letters	January 16, 2013
Applicant	Lee County School District
Billed Entity Number	127118
Form 471 Application Numbers	504624 504625
Funding Request Numbers	1413703 1413757 1413859 1413871 1413887 1413904 1414157 1414167 1414195 1414207 1414222 1414238

The "Decision on Appeal" for each FRN is: **"Denied in Full"**.

The "Decision Explanation" given in the Administrator's Decision Letters (for each FRN) is:
Explanation: Request received after the FCC deadline for Implementation Deadline Extension requests which was 9/30/2012.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

Grounds for Request

We understand that both USAC administrative rules and FCC rules indicate that a request for an *Implementation Deadline Extension Request* "should" be filed on or before the existing deadline and we understand that deadlines are an essential component of administering E-rate.

The late filing of this applicant's *Implementation Deadline Extension Request* was by definition a "technical error." Shortly after the September 30, 2012 deadline we began tracking the more than 100 Implementation Deadline Extension Requests we filed on behalf of our clients for

multiple funding years. We were alarmed to discover that crucial FY2006 project FRNs for one of our rural clients, Lee County School District had not been extended.

We utilize an application management system to affectively manage all USAC-SLD filing deadlines for all of our clients' FRNs for all filing years. This system has allowed us to systematically reduce and/or cancel millions of dollars in funding on FCC Form(s) 500 while proactively preserving much needed funding for other applicants through timely filed *Implementation Deadline Extension Requests* and/or *Service Substitution Requests*.

In our effort to determine why these crucial FY2006 Project FRNs for our client had not yet been extended, we discovered that our application management system failed to capture the status of these FRNs in the report we used to close out FRNs, to Cancel FRNs and to extend FRNs ahead of the September 30, 2012 deadline.

In this case, our own technology failed us and we have worked diligently with our programmers to see that it never happens again. We respectfully request waiver of the FCC rule referenced above in order to allow these *Implementation Deadline Extension Requests* to be reviewed on merit.

Reason for the Extension Request:

The FRNs affected by this request were applied for in early 2006 but not approved until March 22, 2010, due to special reviews and investigations going on in South Carolina at the time. By the time approval was received, there had been substantial changes in attendance zones because of changes in enrollment and budgetary constraints. Sites had been constructed and a number of schools closed. Consequently it became necessary to redesign the network requirements for the complete district, which is ongoing. The District is working through complicated scenarios in order to determine the most efficient use of commitments in multiple funding years. The district must take into consideration Block 4 Updates for Closures and Newly Constructed Sites as well as their needs for modifications to the original project designs. Because of this reconfiguration and redesign the implementation of these non-recurring services has been delayed, and the **circumstances are beyond the service provider's control**. The applicant respectfully requests more time in order to properly plan and implement these projects in the best interest of the students and teachers of the applicant.

Attachments

January 16, 2013 Administrator's Decision on Implementation Extension Request Letters

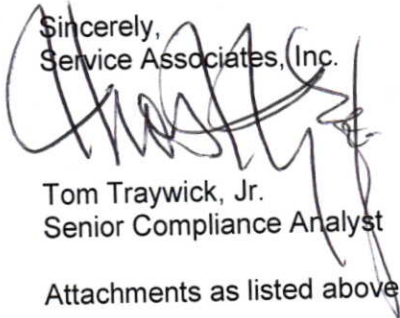
In Conclusion

We believe that the denial of funding for these FRNs would contribute to unintended consequences of hardship and inequity for the students and teachers in this District, through no fault of their own.

We believe that granting this request would be consistent with the Commission's commitment to providing support for schools and libraries, and in the spirit of FCC 01-195, might increase the likelihood that schools and libraries may successfully utilize discounts available from the schools and libraries universal service mechanism.

We all thank you for your kind attention to this very serious matter. Please contact me if you have any questions or need additional information.

Sincerely,
Service Associates, Inc.

A handwritten signature in black ink, appearing to read 'Tom Traywick, Jr.', is written over the typed name and title.

Tom Traywick, Jr.
Senior Compliance Analyst

Attachments as listed above



Schools and Libraries Division

Administrator's Decision on Implementation Extension Request

January 16, 2013

Oliver Frail
Service Associates, Inc
308 South Marshall Street
Winston-Salem, NC 27101

RE: Lee County School District

471 Application Number: 504625
Funding Request Number(s): 1414195, 1414207, 1414222 and 1414238
Your Correspondence Dated: December 12, 2012

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of USAC's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one Form 471 Application, please note that for each application you will receive a separate determination letter.

Decision on Appeal: **Denied in full**

Explanation: Request received after the FCC deadline for Implementation Deadline Extension requests which was 9/30/2012.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or Service Provider name,

- BEN and/or SPIN,
 - Form 471 and FRN,
 - Invoice number as assigned by SLD,
 - "Administrator's Decision on Implementation Extension Request" dated 01/16/2013
- AND**
- The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by USAC's decision.
 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, send your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division – Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

While we encourage you to resolve your appeal with USAC first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

cc: Loretta Dabbs, Diversified Computer Solutions, Inc

Administrator's Decision on Implementation Extension Request

January 16, 2013

Oliver Frail
Service Associates, Inc
308 South Marshall Street
Winston-Salem, NC 27101

RE: Lee County School District

471 Application Number: 504624
Funding Request Number(s): 1413757, 1413859, 1413871, 1413887 and 1413904
Your Correspondence Dated: December 12, 2012

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of USAC's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one Form 471 Application, please note that for each application you will receive a separate determination letter.

Decision on Appeal: **Denied in full**

Request received after the FCC deadline for Implementation Deadline Extension requests which was 9/30/2012.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

TO APPEAL THIS DECISION:

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1. Include the name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or Service Provider name,
 - BEN and/or SPIN,

- Form 471 and FRN,
 - Invoice number as assigned by SLD,
 - "Administrator's Decision on Implementation Extension Request" dated 01/02/2013
AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by USAC's decision.
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Schools and Libraries Division
Universal Service Administrative Company

cc: Loretta Dabbs, Diversified Computer Solutions, Inc